

Testimony 2013

Good morning Senator Gerratana, Representative Johnson, and members of the Public Health Committee.. My name is Carolyn Goodridge.

I am in support of S.B.59 An Act Providing Certain Adult Adopted Persons with Access to Parental Health Information and a Copy of Their Original Birth Certificate. I am a social worker/public policy advocate for the CT Association of Foster and Adopted Parents, a nonprofit advocacy organization for foster/adoptive parents and relative caregivers. I am also president of the CT Council on Adoption, which is a volunteer organization of professionals, judges, and adoptive parents who monitor adoption practices in the state.

I feel that it is a basic human right for every citizen to have access to their own identity. Adoption laws over the years have been made to protect the child and family, but once the adopted child reaches adulthood, they should have the rights of every other adult in our society. The amended birth certificate issued at the time of the adoption is not their identity. Today, adoption practice shows 95% of adoptions to have some type of openness, but our laws have not evolved at the same pace.

In those nine states where the access to birth certificates has been reopened, including Maine, New Hampshire, and Rhode Island, there have been no negative issues with birth parents. Two states, Alaska and Kansas never sealed their records. Abortions in those states went down, and adoptions went up. Those who requested their birth certificates felt an enormous sense of relief to finally know the details of their birth.

Historically, access to original birth certificates was open until 1975, when an amendment to a different bill closed access with no public hearings or notice. During those years before 1975, there were no horrific instances of birth parents having difficulties. It is often mentioned that birth mothers were made promises of confidentiality, which would have been against the law then. Birth mothers who have come forward from 1945-1975 report fear, not promises of confidentiality. Birth mothers have reported that prior to the 1970's, there was a fear about revealing a pregnancy because of the stigma of an unwed birth; that fear was more pronounced than any concern for confidentiality. Society at that time was harsh to women who had out-of-wedlock pregnancies; homes for unwed mothers did not offer any choice but to surrender the child for adoption, and often those surrenders occurred when the mother was still heavily sedated from the birth. The amended birth certificates issued with the adoptive parents' names came about because the child's birth certificate had a red stamp of "Illegitimate" across it, and legislators did not want the child burdened with that certificate. Birth mothers were the first ones shut out of the access to original birth certificates, before the child and adoptive parents. And yet, the argument to prevent access is always that birth parents were made promises.

Court documents dating back to 1983 show that the voluntary form for Termination of Parental Rights, the JD-JM 60, has a statement just above the parent's signature saying that "I understand that when my child turns eighteen, he may have the RIGHT to search for information about me." Birth parents have known since 1983 that there is no confidentiality, and in 1983, the court recognized that the adoptee may have the RIGHT to search. From 1975 to 1983, a court form, PRC-90, Termination of Parental Rights did not offer any promises either way. In a recent Evan B. Donaldson Institute study of birth mothers, it

was learned that the mothers never forgot the child they gave away, and healing began when their child sought them. The saying “remove the guilt and shame, remove the pain” applies. Adoption was based on secrecy for many years; secrecy generally is associated with something bad.

Since 1915, there have been over 63,000 adoptions in Connecticut. All of those citizens are presently being denied the right to learn their identity and to search their genealogy. The only other citizens denied that right to their original birth certificates are those in the witness protection program.

In 1999 the Judiciary Committee asked the CT Law Revision Commission to study and report on the Sealed Records issue. Their report, dated February 8, 1999 stated , “While, on its face, the sealed records laws appear to give a privacy assurance, any expectation of privacy is illusory...Even if an expectation of privacy were, in fact, created, such an expectation is not a ‘vested right’ protected from retroactive application of new statutes”. In their 20 page report, the commission recommended giving adult adoptees access to their birth information. Rather than putting the burden of proof on the adoptee to petition the court for their OBC, they proposed that birth parents who object to the release of identifying information must convince the Probate Court that good cause exists why the information should not be released. Adopted persons have no control over their own lives. They were not involved in the decision to be adopted (unless they were over age 12), and then as adults they need to get permission from an agency or court to have their own information. They feel a black hole in their lives.

It is a normal developmental process for a person to question their identity—who am I? When adopted individuals want their birth certificates, it does not mean that they disrespect their adoptive parents or that they necessarily want to search for their birth parents. We ask that a contact preference form and health information form to provide updated medical information, be included in the bill as a way for birth parents to get this imperative information to adoptees if the parent does not want contact. It has been said that adoptees can get genetic testing for diseases such as cancer, Alzheimer’s, etc., but to get those tests they need proof that two close relatives have had the disease, another door closed to adoptees.

I believe that this is a human rights issue. In over 35 years working with birth parents and adoption, I have not met a mother who was made any promise of confidentiality. I have also not met a mother who forgot about the child she gave up for adoption. I ask that you re-open the access to original birth certificates for adopted adults.

Sincerely,

Carolyn Goodridge, Social worker/Public Policy Advocate for CT Association of Foster and Adoptive Parents, President of the CT Council on Adoption